

SPANISH-SPEAKING AFFAIRS

Act 164 of 1975

AN ACT to create a commission on Spanish-speaking affairs, an office of Spanish-speaking affairs, and an interagency council on Spanish-speaking affairs; to prescribe their powers and duties; to provide for appropriations; and to abolish the advisory council for the Spanish-speaking.

History: 1975, Act 164, Imd. Eff. July 15, 1975.

Compiler's note: For transfer of the functions, duties, and responsibilities of the Indian Affairs Commission from the Department of Management and Budget to the Director of the Department of Civil Rights as head of the department, see E.R.O. No. 1991-20 compiled at MCL 37.111 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

18.301 Definitions.

Sec. 1. As used in this act:

- (a) "Commission" means the commission on Spanish-speaking affairs created in section 2.
- (b) "Director" means the director of the office of Spanish-speaking affairs.
- (c) "Office" means the office of Spanish-speaking affairs as created in section 4.
- (d) "Spanish-speaking people" means a person, including a migrant agricultural worker, who: has a Spanish surname; has a parent or grandparent of Mexican, Puerto Rican, Cuban, Central American, South American, or other Spanish origin or descent; uses Spanish as the primary language or mother tongue; is identified by an employer in an EEO-1 report as a "Spanish-surnamed American"; or is regarded in the community as being of Mexican, Puerto Rican, Cuban, Central American, South American, or other Spanish origin or descent.

History: 1975, Act 164, Imd. Eff. July 15, 1975.

Compiler's note: For transfer of the functions, duties, and responsibilities of the Commission on Spanish-Speaking Affairs and the Office of Spanish-Speaking Affairs from the Department of Management and Budget to the Director of the Department of Civil Rights as head of the department, see E.R.O. No. 1991-20 compiled at MCL 37.111 of the Michigan Compiled Laws.

For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

18.302 Commission on Spanish-speaking affairs; establishment; appointment, qualifications, and terms of members; election of officers; vacancy; meetings; compensation; quorum.

Sec. 2. (1) A commission on Spanish-speaking affairs is established within the department of labor and economic growth. The commission shall consist of 15 members appointed by the governor by and with the advice and consent of the senate. The commission shall elect a chairperson, vice-chairperson, and other officers from its members as it deems advisable.

(2) Members of the commission shall be Spanish-speaking and of Spanish-speaking origin. Members shall be appointed from urban, suburban, and rural geographical areas representative of the Spanish-speaking people throughout this state.

(3) The term of each member shall be 3 years. Of the members first appointed, 5 shall serve for 3-year terms, 5 shall serve for 2-year terms, and 5 shall serve for a 1-year term. A vacancy shall be filled by the governor in the same manner as the original appointment for the balance of the unexpired term.

(4) The commission shall meet not less than 12 times during each calendar year. Each member of the commission shall receive per diem compensation as appropriated in the annual budget. Per diem compensation shall be paid only for a full day's commission work at which a quorum is present. A member shall receive reimbursement for actual and necessary traveling expenses incurred in the performance of official business. Reimbursement shall be made in the manner provided by law for state employees.

(5) A majority of the members of the commission constitutes a quorum. A majority of the members of the commission is required for final action by the commission. A vacancy in the commission shall not impair the right of the remaining members to exercise the powers of the commission.

History: 1975, Act 164, Imd. Eff. July 15, 1975;—Am. 2004, Act 94, Imd. Eff. May 7, 2004.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the

director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

For restoration of the interagency council on Spanish-speaking affairs, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

18.302a Conducting business of commission or council at public meeting; notice; availability of writings to public.

Sec. 2a. (1) The business which the commission or council created pursuant to this act may perform shall be conducted at a public meeting of the commission or council held in compliance with Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 to 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended.

(2) A writing prepared, owned, used, in the possession of, or retained by the commission, council, or office created pursuant to this act in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, as amended, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

History: Add. 1979, Act 170, Imd. Eff. Dec. 11, 1979.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

18.303 Commission on Spanish-speaking affairs; purpose; powers and duties.

Sec. 3. (1) The purpose of the commission shall be to develop a unified policy and plan of action to serve the needs of Michigan's Spanish-speaking people.

(2) The commission shall:

(a) Advise the governor, the legislature, and the office concerning the coordination and administration of state programs serving Spanish-speaking people.

(b) Make recommendations to the governor and legislature regarding changes in state programs, statutes, and policies.

(c) Advise the governor and legislature of the nature, magnitude, and priorities of the problems of Spanish-speaking people.

(d) Review and approve grants to be made from federal, state, or private funds which are administered by the office.

(e) Review and advise the governor and the legislature on the state's policies concerning Spanish-speaking affairs.

(f) Secure appropriate recognition of Spanish-speaking accomplishments and contributions to this state.

(g) Review and approve the annual report by the office of Spanish-speaking affairs as described in section 5.

History: 1975, Act 164, Imd. Eff. July 15, 1975.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

18.304 Office of Spanish-speaking affairs; establishment; selection of director.

Sec. 4. (1) The office of Spanish-speaking affairs is established within the department of labor and economic growth.

(2) The commission shall select the director of the office with the concurrence of the director of the department of labor and economic growth in accordance with state civil service procedures.

History: 1975, Act 164, Imd. Eff. July 15, 1975;—Am. 2004, Act 94, Imd. Eff. May 7, 2004.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled MCL 18.311 of the Michigan compiled laws.

For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

18.305 Office of Spanish-speaking affairs; purpose; powers and duties.

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Sec. 5. (1) The purpose of the office shall be to provide the commission with information concerning the problems of Spanish-speaking people and to implement commission policy.

(2) The office shall:

(a) Conduct studies and recommend solutions to the problems of Spanish-speaking people in the areas of education, employment, civil rights, health, housing, senior citizens, and other related areas.

(b) Recommend to federal, state, and local governmental departments and agencies the creation of services and facilities as needed.

(c) Serve as a clearinghouse for the collection and distribution of information on Spanish-speaking affairs.

(d) Apply for and accept grants and gifts from governmental and private sources.

(e) Request the services of all state and local governmental departments and agencies to assure that Spanish-speaking people have access to decision-making bodies, the policies of which affect Spanish-speaking people in this state.

(f) Cooperate with departments and agencies to aid in effectuating the purposes of this act.

(g) Submit a full written report of its activities and recommendations each year to the governor, legislature, and various Spanish-speaking communities throughout the state.

History: 1975, Act 164, Imd. Eff. July 15, 1975.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

18.306 State interagency council on Spanish-speaking affairs; creation; composition; powers and duties.

Sec. 6. (1) A state interagency council on Spanish-speaking affairs is created within the office.

(2) The council shall consist of:

(a) The director of mental health or his authorized representative.

(b) The director of public health or his authorized representative.

(c) The director of social services or his authorized representative.

(d) The director of licensing and regulation or his authorized representative.

(e) The director of the department of natural resources or his authorized representative.

(f) The superintendent of public instruction or his authorized representative.

(g) The state treasurer or his authorized representative.

(h) The director of the department of agriculture or his authorized representative.

(i) The state personnel director or his authorized representative.

(j) The executive director of the department of civil rights or his authorized representative.

(k) The attorney general or his authorized representative.

(l) The secretary of state or his authorized representative.

(m) The director of the department of corrections or his authorized representative.

(n) The executive director of the women's commission or her authorized representative.

(o) The director of management and budget or his authorized representative.

(p) The director of labor or his authorized representative.

(q) The chairman of the state housing development authority or his authorized representative.

(3) The purpose of the interagency council shall be to coordinate and provide for the exchange of information on all programs relating to services for Spanish-speaking people. The interagency council shall also assist the office and commission in the development of an annual report which is to be submitted to the governor, the legislature, and Spanish-speaking communities throughout the state.

History: 1975, Act 164, Imd. Eff. July 15, 1975.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

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18.307 Michigan advisory council for Spanish-speaking abolished; transfer of duties, functions, and property to commission.

Sec. 7. The Michigan advisory council for the Spanish-speaking created pursuant to Executive Order 1974-6, as amended by Executive Order 1974-6(a), is abolished and its duties and functions shall be assumed

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by the commission. The documents, files, properties, and moneys belonging to the present Michigan advisory council for the Spanish-speaking shall be transferred to the commission on Spanish-speaking affairs.

History: 1975, Act 164, Imd. Eff. July 15, 1975.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

18.308 Effective date.

Sec. 8. This act shall take effect July 1, 1975.

History: 1975, Act 164, Imd. Eff. July 15, 1975.

Compiler's note: For transfer of authority, powers, duties, functions, and responsibilities of the commission on Spanish-speaking affairs and office of Spanish-speaking affairs to the director of the department of career development by type I transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.

For transfer of authority, powers, duties, functions, and responsibilities of the interagency council on Spanish-speaking affairs to the director of the department of career development by type III transfer, see E.R.O. No. 2000-3, compiled at MCL 18.311 of the Michigan compiled laws.